

1 Renee Choy Ohlendorf (SBN 263939)  
rchoy@hinshawlaw.com  
2 HINSHAW & CULBERTSON LLP  
One California Street, 18th Floor  
3 San Francisco, CA 94111  
Telephone: 415-362-6000  
4 Facsimile: 415-834-9070

5 Attorneys for Defendant TD Bank USA, National Association



Date: April 13, 2017

6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 Lacy Rose,

12 Plaintiff,

13 vs.

14 Equifax, Inc.; TransUnion, LLC; Avant, Inc.;  
15 First Data Merchant Services, LLC; TD Bank  
USA, National Association and Does 1 through  
16 100,

17 Defendants.

Case No. 3:17-cv-00419-MMC

**STIPULATION TO EXTEND TIME FOR  
DEFENDANT TD BANK USA, NATIONAL  
ASSOCIATION TO RESPOND TO  
PLAINTIFF'S AMENDED COMPLAINT**

Complaint Filed: January 26, 2017

18 Pursuant to Local Rules 6-1(a) and 6-2, Defendant TD Bank USA, National Association  
19 ("TD Bank") and Plaintiff Lacy Rose ("Plaintiff"), by and through their undersigned counsel of  
20 record, stipulate and agree as follows:

21 **WHEREAS**, on January 26, 2017, Plaintiff filed her initial complaint [Dkt. 1];

22 **WHEREAS**, TD Bank filed a Motion to Dismiss the Initial Complaint on March 17, 2017  
23 [Dkt. 28];

24 **WHEREAS**, on April 7, 2017, Plaintiff filed and served an Amended Complaint [Dkt. 35].  
25 Pursuant to F.R.C.P. 15(a)(3), TD Bank is to answer or otherwise respond to the Amended  
26 Complaint on or before April 21, 2017;

27 **WHEREAS**, to permit TD Bank sufficient time to evaluate the claims in the Amended  
28 Complaint and prepare an appropriate responsive pleading or motion, and for the parties to discuss a

1 potential early resolution of the case, the parties have agreed to a forty-five day extension for TD  
2 Bank to answer or otherwise respond to the amended complaint up to and including June 5, 2017.  
3 The parties have been in the process of exchanging informal discovery. This extension will not  
4 affect any pending court dates or deadlines, nor will it prejudice any party herein. The Initial Case  
5 Management Conference is set for hearing on June 16, 2017, with the Joint Case Management  
6 Statement to be filed on or before June 9, 2017.

7 **IT IS STIPULATED THAT** TD Bank shall have up to and including June 5, 2017 to  
8 answer or otherwise respond to Plaintiff's Amended Complaint.

9  
10  
11 Dated: April 11, 2017

HINSHAW & CULBERTSON LLP

12 By: /s/ Renee Choy Ohlendorf

13 Renee Choy Ohlendorf  
14 Attorneys for Defendant TD Bank USA,  
National Association

15 Dated: April 11, 2017

SAGARIA LAW, P.C.

16 By: /s/ Elliot Wayne Gale

17 Elliot Wayne Gale  
18 Attorneys for Plaintiff Lacy Rose

19 **FILER ATTESTATION**

20 Pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings Before the  
21 United States District Court for the Northern District of California, I, Renee Choy Ohlendorf, hereby  
22 attest that concurrence in the filing of this document has been obtained from each of the other  
23 signatories.

24 I declare under penalty of perjury under the laws of the State of California and the United  
25 States of America that the foregoing is true and correct.

26 /s/Renee Choy Ohlendorf  
27  
28